

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>UNITED STATES OF AMERICA,</b>	§	
	§	
<b>Plaintiff,</b>	§	
	§	
<b>v.</b>	§	<b>NO. 3:19-CR-245-M</b>
	§	
<b>TIMOTHY BERNARD TANNER,</b>	§	
	§	
<b>Defendant.</b>	§	

**ORDER REGARDING PROTOCOLS FOR JURY SELECTION AND TRIAL**

The Court held a hearing on May 27, 2020, to discuss jury selection and trial protocols. This Order formalizes the protocols discussed at that hearing.

Jury selection will occur in the jury room of the Earle Cabell Federal Building.<sup>1</sup> The Court sent detailed juror questionnaires to potential jurors. As discussed at the hearing, the parties conferred and agreed to excuse many of the jurors in advance of *voir dire*, thus minimizing the number of people who will need to appear in person. The remaining jurors appearing in person will be spaced to maintain at least six feet of distance between each person. To facilitate that spacing, the jurors will be separated into groups, with one group at a time coming into the jury room for *voir dire* at different scheduled times. All jurors will wear gloves and face shields during *voir dire*. All other participants will wear gloves and face shields or masks.

During trial, everyone in the courtroom will wear gloves and face shields or masks, except the witness on the stand. To testify, witnesses will sit in the jury box, and will be behind

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<sup>1</sup> The Court offered to conduct jury selection remotely via a web-based platform, making arrangements for any juror who did not have the technological capability to access the platform, but the Defense objected.


a rolling plexiglass screen. Additional plexiglass screens will be available in the courtroom as necessary.

Witnesses will enter and leave via the jury room to minimize contact with other participants. The jury will be seated in the gallery, at least six feet apart from one another.<sup>2</sup> The lectern for counsel will be facing the gallery. The Court will allow defense counsel to use the interpreter headsets in the courtroom to communicate with the Defendant while maintaining adequate distance between one another.

The jury will take breaks and deliberate in a spacious, nearby courtroom that will allow jurors to remain much more than six feet apart at all times. Exhibits will not be passed to the jury, but may be displayed on screens throughout the courtroom. For deliberations, counsel shall provide a computer with nothing on it and a thumb drive containing electronic versions of the exhibits so that the foreperson can display exhibits on a screen as necessary.

**SO ORDERED.**

May 28, 2020.

  
BARBARA M. G. LYNN  
CHIEF JUDGE

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<sup>2</sup> The Court will also allow spectators to sit in the gallery if it is possible to do so while maintaining six feet of distance between everyone at all times. If necessary for social distancing, the Court will make another room in the courthouse available for spectators and will simulcast the proceedings to that location.